

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14944 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.661 of 2024 of Uppal Police Station, Rachakonda, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 01.06.2024, at about 04:30 hours, when the victim i.e., son of *de-facto* complainant, along with his friends, went to Uppal for having tiffin at Master Chef Hotel, the accused persons beaten the victim and his friends mercilessly by quarrelling unnecessarily. As a result, the victim sustained grievous injuries. Hence, a case was registered vide Crime No.661 of 2024 before the Uppal Police, Rachakonda, for the offences punishable under Section 307 read with 34 of the IPC.

3. Heard Sri M.Narsing Rao, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the

alleged offences. He *secondly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *thirdly* submitted that the petitioner has been in judicial custody since 01.06.2024, causing undue hardship to his family and that the allegations are false and fabricated. He *fourthly* submitted that the petitioner is resident of Medipally, Medchal Malkajgiri District, with movable and immovable properties, and is willing to furnish sureties as directed. He *lastly* submitted that previously, bail applications of the petitioner, *vide* Crl.M.P.Nos.148, 181 and 219 of 2024, were dismissed by the I Additional Sessions Judge, Medchal Malkajgiri District at Kushaiguda, on 20.09.2024, 08.10.2024 and 06.11.2024, respectively, without valid reasons and prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that there are serious allegations against the petitioner, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and reviewing the record, since the petitioner languishing in jail from 01.06.2024 and charge sheet is filed after completion of

investigation, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the I Additional Session Judge, Medchal Malkajgiri District at Kushaiguda.
- ii. The petitioner shall cooperate with the trial proceedings by appearing before the concerned Court whenever his presence is required as the charge sheet is filed before the concerned Court.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed. Further, the petitioner is also directed not to indulge in the similar offences.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 13.12.2024
gms

23

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.14944 of 2024

Date: 13.12.2024

gms